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**MEMO ENDORSED**

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March 16, 2023

**BY ECF**

Hon. Valerie E. Caproni  
United States District Court  
40 Foley Square  
New York, New York 10007

**RE: Zayas v. JLM Venture IV LLC, et al**  
**22cv9872 (VEC)(OTW)**

Dear Judge Caproni:

I represent the plaintiff in the above-referenced case and respectfully request an extension of time to file a joint letter and proposed Case Management Plan and Scheduling Order. Since the commencement of this action, Defendants have not contacted my office. Therefore, I am unable to prepare a joint letter or proposed CMP and Scheduling Order.

Since the commencement of this action on November 18, 2022, Plaintiff has sent many communications to Defendants. On December 2, 2022, Defendants were duly served with a summons and complaint. On January 10, 2023, Plaintiff served each Defendant by mail with a copy of the summons and complaint. On February 24, 2023, Plaintiff filed the summons returned executed. (*See*, Dkt. Doc. 9-10). On March 3, 2023, Plaintiff served each Defendant with a copy of the Order to Show Cause dated February 24, 2023. (*See*, Dkt. Doc. 15; Certificate of Service). On March 5, 2023, Plaintiff served each Defendant by mail with Plaintiff's Notice of Motion to Amend, Declaration in Support, and Memorandum of Law in Support. Nonetheless, Defendants or their attorneys have not contacted my office.

Accordingly, Plaintiff respectfully requests an extension of time to file the joint letter and proposed Case Management Plan and Scheduling Order.

Thank you very much for your consideration.

Respectfully,

/s/ James E. Bahamonde

James E. Bahamonde, Esq.

Application GRANTED. The initial pretrial conference scheduled for March 24, 2023, and the deadline for the parties to submit a joint letter and proposed case management plan are adjourned *sine die*.

Pursuant to Rule 2(C) of the Undersigned's Individual Practices, any adjournment or extension request must include proposed alternative dates. Pursuant to that same rule, any extension or adjournment requests must be made at least 48 hours prior to the deadline or conference date. The request to extend the deadline for joint IPTC submissions was made on the due date without proposed alternative dates. Any future adjournment or extension requests from Plaintiff made in violation of the Undersigned's Individual Practices will be denied on that basis alone.

As set forth in the order at docket entry 7, Defendants' deadline to answer or otherwise respond to the Complaint is **March 24, 2023**. If Defendants fail to move or answer by **March 24, 2023**, Plaintiff must move for default judgment by **March 30, 2023**, in accordance with the procedures set forth in Rule 4(I) of the Undersigned's Individual Practices.

Plaintiff is ordered to serve a copy of this order on Defendants and to file proof of service on the docket by **March 20, 2023**.

SO ORDERED.

 03/16/2023

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE